

ROGER P. CROTEAU, ESQ.  
 Nevada Bar No. 4958  
 TIMOTHY E. RHODA, ESQ.  
 Nevada Bar No. 7878  
 ROGER P. CROTEAU & ASSOCIATES, LTD.  
 2810 W. Charleston Blvd., #67  
 Las Vegas, Nevada 89102  
 (702) 254-7775  
 (702) 228-7719 (facsimile)  
[croteaulaw@croteaulaw.com](mailto:croteaulaw@croteaulaw.com)  
*Attorney for Plaintiff*  
 THUNDER PROPERTIES, INC.

UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA

\*\*\*

THUNDER PROPERTIES, INC., a Nevada  
 corporation,  
  
 Plaintiff,  
  
 vs.  
  
 JAMES L. WOOD, an individual; CYNTHIA  
 A. WOOD, an individual; BANK OF  
 AMERICA, N.A., a national banking  
 association, as successor-in-interest to  
 COUNTRYWIDE HOME LOANS, INC.;  
 BANK OF AMERICA, N.A., a national  
 banking association, as successor-in-interest to  
 COUNTRYWIDE BANK NA; NATIONAL  
 DEFAULT SERVICING CORPORATION, an  
 Arizona corporation; DOE individuals I through  
 XX; and ROE CORPORATIONS I through  
 XX,  
  
 Defendants.

Case No. 3:14-cv-00068-RCJ-WGC

**MOTION TO RELEASE BONDS**

COMES NOW, Plaintiff, THUNDER PROPERTIES, INC., by and through its attorneys,  
 ROGER P. CROTEAU & ASSOCIATES, LTD., and hereby moves this Honorable Court to  
 release the bonds posted on behalf of the Plaintiff herein on April 17, 2014 and July 28, 2014,  
 together with any appropriate interest. This Motion is based upon the pleadings and papers on

1 file herein and the attached Memorandum of Points and Authorities.

2 DATED this 15<sup>th</sup> day of July, 2024.

3 ROGER P. CROTEAU & ASSOCIATES, LTD.

4  
5 /s/ Timothy E. Rhoda  
6 ROGER P. CROTEAU, ESQ.  
7 Nevada Bar No. 4958  
8 TIMOTHY E. RHODA, ESQ.  
9 Nevada Bar No. 7878  
10 2810 W. Charleston Blvd., #67  
11 Las Vegas, Nevada 89102  
12 (702) 254-7775  
13 *Attorney for Plaintiff*  
14 THUNDER PROPERTIES, INC.

11 **MEMORANDUM OF POINTS AND AUTHORITIES**

12 **I.**

13 **STATEMENT OF RELEVANT FACTS**

14 The Plaintiff herein, Thunder Properties, Inc., posted two separate cash bonds in the  
15 amount of \$900.00 each herein in 2014. See Exhibits 1 and 2, attached hereto and incorporated  
16 herein by reference. The first was posted on April 17, 2014 and the second was posted on June  
17 28, 2014. *Id.* The bonds were posted in association with a stipulated order entered on April 15,  
18 2014. [ECF #20].

19 Judgment was entered in favor of Defendant, Bank of America, N.A., on February 28,  
20 2017. [ECF #101]. A subsequent appeal was dismissed on January 26, 2018 [ECF #109], after  
21 the parties entered into a confidential settlement agreement and mutual release. Pursuant to the  
22 confidential settlement agreement and mutual release, the parties released all claims related to the  
23 subject matter of this litigation. Upon dismissal of the appeal, the action was fully and finally  
24 resolved; however, the bonds that were posted with the Clerk of Court have not been refunded to  
25 date.

26 The dispute that was the subject of the Plaintiff's Complaint has been fully and finally  
27 resolved. No claim was made to the bonds by any party prior to the resolution of the action.  
28

Moreover, the parties entered into a confidential settlement agreement and mutual release which released any such claims. As a result, the release of the bonds is appropriate at this time.

II.

**CONCLUSION**

For the reasons set forth herein, Plaintiff's counsel respectfully requests that the bond posted by the Plaintiff on April 17, 2014 and June 28, 2014, in the amount of \$900.00 each, together with all appropriate interest, be released and refunded to the Plaintiff, Thunder Properties, Inc., with a check being made payable to "Thunder Properties, Inc." and forwarded to Plaintiff's counsel, Roger P. Croteau & Associates, Ltd., at 2810 W. Charleston Blvd. #67, Las Vegas, Nevada 89102.

DATED this 15<sup>th</sup> day of July, 2024.

ROGER P. CROTEAU & ASSOCIATES, LTD.

/s/ Timothy E. Rhoda  
ROGER P. CROTEAU, ESQ.  
Nevada Bar No. 4958  
TIMOTHY E. RHODA, ESQ.  
Nevada Bar No. 7878  
2810 W. Charleston Blvd., #67  
Las Vegas, Nevada 89102  
(702) 254-7775  
*Attorney for Plaintiff*  
THUNDER PROPERTIES, INC.

IT IS SO ORDERED.

By:   
Judge, U.S. District Court

Dated: 08/08/2024

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 15<sup>th</sup> day of July, 2024, I served via the United States District Court CM/ECF electronic filing system, the foregoing **MOTION TO RELEASE BONDS** to the following parties:

Darren T Brenner  
Wright, Finlay & Zak, LLP  
7785 W. Sahara Ave., Suite 200  
Las Vegas, NV 89117  
702-475-7964  
702-946-1345 (fax)  
[dbrenner@wrightlegal.net](mailto:dbrenner@wrightlegal.net)  
*Attorney for Defendant  
Bank of America, N.A.*

Aaron R. Maurice  
Maurice Wood PLLC  
8250 West Charleston Blvd  
Suite 100  
Las Vegas, NV 89117  
(702)463-7616  
(702)463-6224 (fax)  
[amaurice@mauricewood.com](mailto:amaurice@mauricewood.com)  
*Attorney for Defendant  
Bank of America, N.A.*

Brittany Wood  
Maurice Wood PLLC  
8250 West Charleston Blvd  
Suite 100  
Las Vegas, NV 89117  
(702) 463-7616  
(702) 463-6224 (fax)  
[bwood@mauricewood.com](mailto:bwood@mauricewood.com)  
*Attorney for Defendant  
Bank of America, N.A.*

Edward Dean Boyack  
Boyack Orme & Anthony  
7432 W Sahara Ave  
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Las Vegas, NV 89117  
702-562-3415  
702-562-3570 (fax)  
[ted@boyacklaw.com](mailto:ted@boyacklaw.com)  
*Attorney for Cross-Defendant  
Wingfield Springs Community Association*

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Black & Wadhams  
10777 W. Twain Ave.  
Suite 300  
Las Vegas, NV 89135  
702-869-8801  
[cvergensen@blackwadhamslaw.com](mailto:cvergensen@blackwadhamslaw.com)  
*Attorney for Cross-Defendant  
ATC Assessment Collection Group, LLC*

Gregory L Wilde  
Tiffany & Bosco P.A.  
212 South Jones Blvd.  
Las Vegas, NV 89107  
(702) 258-8200  
(702) 258-8787 (fax)  
[efilenv@tblaw.com](mailto:efilenv@tblaw.com)  
*Attorney for Defendant  
National Default Servicing Corporation*

Matthew Dayton  
Ghidotti Berger  
7251 Lake Mead Blvd., Ste 470  
Las Vegas, NV 89128  
949-427-2010  
[mdayton@ghidottiberger.com](mailto:mdayton@ghidottiberger.com)  
*Attorney for Defendant  
National Default Servicing Corporation*

/s/ Timothy E. Rhoda  
An employee of ROGER P. CROTEAU &  
ASSOCIATES, LTD.

# EXHIBIT 1

# EXHIBIT 1

## UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA APR 17 2014

Thunder Properties, Inc.  
 Plaintiff

<input checked="" type="checkbox"/> FILED	<input type="checkbox"/> RECEIVED
<input type="checkbox"/> ENTERED	<input type="checkbox"/> SERVED ON
COUNSEL/PARTIES OF RECORD	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: <u>Case 3:14-cv-00068</u>	

RCS - WGC

CDOB: 5611301548

CERTIFICATE OF CASH DEPOSIT

1. I, Kristin D. Munk, herewith tender to the Clerk  
 (Name of Depositor)  
 of Court for deposit into the Registry Account of this Court cash in the amount of  
 \$ 900.00.

2. This Cash Deposit:

A. Is tendered on behalf of: Thunder Properties Inc.  
 (Name of Party)

B. Is in the nature of the following (e.g., Interpleader Deposit, Bond in Support  
 of Temporary Restraining Order, etc.): Stipulation part II section

3. Paying 3 months April, May, June  
2014.

C. Is tendered pursuant to the following Statute, Rule or Court Order:  
case no. 3:14-cv-00068-RCS-WGC

D. Is conditioned as follows: requires proof of  
payment at the request of defendant

...

Paid Amt \$ 900.00 Date 4/17/2014  
 NVRNO 2257 Initials KMR  
 Receipt # \_\_\_\_\_

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3. The name and address of the Legal Owner of the cash tendered herewith to whom a refund (if applicable) shall be made is:

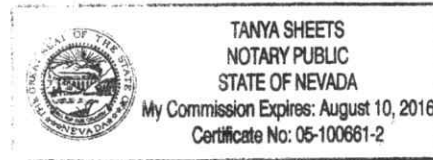
Thunder Properties Inc.  
clagunn Investment services Inc  
PO BOX 51839 Sparks NV 89435

State of Nevada )  
County of Washoe ) ss.  
On April 17, 2014,  
personally appeared before me, a  
Notary Public,

Kristin Danielle Munk  
(Name of Depositor)  
who acknowledged that (s)he  
executed the above instrument.

Tanya Sheets  
NOTARY PUBLIC

Dated: 04/17/2014  
Kristin Munk  
Signature of Depositor



Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Attorney for  
Party or Party Appearing  
Pro Se (If different from  
Depositor)

RECEIPT:

Cash as identified herein is  
hereby acknowledged as being  
received this date.

Dated: \_\_\_\_\_

CLERK, U.S. DISTRICT COURT

By: \_\_\_\_\_  
Deputy Clerk



Court Name: District of Nevada  
Division: 3  
Receipt Number: MVRN0002257  
Cashier ID: krusin  
Transaction Date: 04/17/2014  
Payer Name: Thunder Properties

COMM REG MONEY MARKET

For: Thunder Properties

Case/Party: D-NVX-3-14-CV-000068-001

Amount: \$900.00

PAR 8202

CHECK/MONEY ORDER

Check/Money Order Num: 2309

Amt Tendered: \$900.00

Total Due: \$900.00

Total Tendered: \$900.00

Change Amt: \$0.00

Thunder Properties Inc

"Only when bank clears the check, money order, or verifies credit of funds is the fee or debt officially paid or discharged. A \$53 fee will be charged for a returned check."



# EXHIBIT 2

# EXHIBIT 2

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Thunder Properties Inc

3:14-cv-68

CV 000068-001  
DOLB: 5611301548

<input checked="" type="checkbox"/> FILED	<input type="checkbox"/> RECEIVED
<input type="checkbox"/> ENTERED	<input type="checkbox"/> SERVED ON
COUNSEL/PARTIES OF RECORD	
JUL 28 2014	
CLERK DISTRICT COURT DISTRICT OF NEVADA	
DEPUTY	

**CERTIFICATE OF CASH DEPOSIT**

1. I, Kristin MUNK, herewith tender to the Clerk of Court for deposit into the Registry Account of this Court cash in the amount of \$ 900.00.

2. This Cash Deposit:

A. Is tendered on behalf of: Thunder Properties Inc

(Name of Party)

B. Is in the nature of the following (e.g., Interpleader Deposit, Bond in Support of Temporary Restraining Order, etc.): bond july 2014, Aug 2014, Sept 2014

C. Is tendered pursuant to the following Statute, Rule or Court Order: \_\_\_\_\_

CV 000068-001

D. Is conditioned as follows: NONE

Paid Amt \$ 900 Date 7/28/14  
Receipt # NVRD 2417 Initials JC

3. The name and address of the Legal Owner of the cash tendered herewith to whom a refund (if applicable) shall be made is:

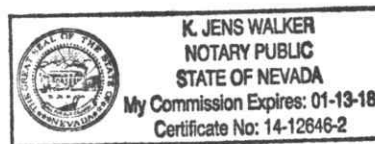
Thunder Properties Inc  
PO Box 51839  
Sparks NV 89435

State of Nevada )  
County of Washoe ) ss.

Dated: 07/28/14  
Kristin Munk  
Signature of Depositor

On July 28, 2014,  
personally appeared before me, a  
Notary Public,

Kristin Munk  
(Name of Depositor)  
who acknowledged that (s)he  
executed the above instrument.



K. Jens Walker  
NOTARY PUBLIC

Dated: \_\_\_\_\_  
\_\_\_\_\_  
Signature of Attorney for  
Party or Party Appearing  
Pro Se (If different from  
Depositor)

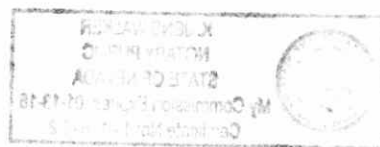
RECEIPT:

Cash as identified herein is  
hereby acknowledged as being  
received this date.

Dated: 7/28/14

CLERK, U.S. DISTRICT COURT

By: [Signature]  
Deputy Clerk



PCCA 5416  
Court Name: District of Nevada  
Division: 3  
Receipt Number: NVRN0002417  
Cashier ID: jcotter  
Transaction Date: 07/28/2014  
Payer Name: Thunder Properties

COMM REG MONEY MARKET

PAR 8202

For: Thunder Properties

Case/Party: D-NVX-3-14-CV-000068-001

Amount: \$900.00

CHECK/MONEY ORDER

Check/Money Order Num: 5574

Amt Tendered: \$900.00

Total Due: \$900.00

Total Tendered: \$900.00

Change Amt: \$0.00

"Only when bank clears the check, money order, or verifies credit of funds is the fee or debt officially paid or discharged. A \$53 fee will be charged for a returned check."

